
From: Jay Dyer [jay.dyer@oag.state.tx.us]
Sent: Wednesday, February 23, 2011 9:02 AM
To: Colby Beuck
Subject: Election Spreadsheets
Attachments: charges pending update 21JAN11.pdf; prosecutions update 21JAN11.pdf; referrals update 21JAN11.pdf

Colby:

As you requested.

Please let me know if you have any questions, or if you need anything else.

Jay

Jay Dyer
Deputy Attorney General for
Government and External Affairs



Election Code Referrals to the
Office of the Attorney General
Charges Pending Resolution

County*	Defendant	Allegation	Election Involved	Cause Number	Charges	Charging Date	Election Code/Penal Code Provision
Hidalgo/Brooks	José De Jesus Cano	Illegal voting, bribery, and official misconduct	2008 School District Election	09-09-10115 CR	1 count illegal voting	09/16/09	E.C. 64.012
Hidalgo/Brooks	Reyna Almanza	Illegal voting	2009 School District Election	10-03-10342-CR	1 count of illegal voting	03/24/10	E.C. 64.012
Hidalgo/Brooks	Lorenzo Antonio Almanza	Illegal voting	2009 School District Election	10-03-10343-CR	2 counts of illegal voting	03/24/10	E.C. 64.012
Bexar	Mary Comartin	Illegal voting	2008 General Election	962,575	1 count of illegal voting	09/22/10	E.C. 64.012
Bexar	Ester Sandoval Martinez-Moreno	Unlawfully accepting a voter, unlawfully permitting the deposit of a ballot, and illegal voting	2010 Primary Election	2010-W-0375	1 count of tampering of a governmental record	10/13/10	P.C. 37.10
		Unlawfully obstructing watcher, illegal voting, unlawful assistance, failure to witness application, unlawfully witnessing more than one application, providing false information on application, possession of mail-in ballots, unlawful assistance, bribery					
Dallas/Rockwall	Delores McMillan	Unlawfully obstructing watcher, illegal voting, unlawful assistance, failure to witness application, unlawfully witnessing more than one application, providing false information on application, possession of mail-in ballots, unlawful assistance, bribery	2010 Primary Election	11-082011CCL-A	1 count of attempted illegal voting	10/08/10	E.C. 64.012
Dallas/Rockwall	Gilda Hernandez	Unlawfully obstructing watcher, illegal voting, unlawful assistance, failure to witness application, unlawfully witnessing more than one application, providing false information on application, possession of mail-in ballots, unlawful assistance, bribery	2010 Primary Election	11-082011CCL-B	4 counts of possession of an official ballot or carrier envelope, 3 counts of unlawful assistance	10/08/10	E.C. 86.006, 64.036

* County where offense committed/ County of prosecution

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Election Code Referrals to the
Office of the Attorney General
Protections Received

County	Defendant	Allegation	Election Involved	Cause Number	Charge(s)	Revelation Date	Revelation Code	Disposition
Bee	Melva Kay Pence	Illegal assistance and illegal voting.	2004 General Election	B-05-210140-CR-B	1 count illegal voting	07/26/05	EC 64.012	Pled guilty to 1 count attempted illegal voting, 2 years deferred adjudication, \$1500 fine w/500 probed
Hardeman	Johnny Wayne Akers	Possession of an official ballot by another	2004 Primary Election	013449	6 counts possession of official ballot or carrier envelope of another	11/04/05	EC 86.006	Pled guilty to 1 count possession of official ballot or carrier envelope of another, 2 years probation, \$2000 fine
Nueces	Virginia Ramos Gomez	Method of returning marked ballot, unlawful assistance, assisting voter	2005 School District Election	05-CR-5806-4	4 counts possessing an official ballot or carrier envelope of another	03/22/06	EC 86.006	1 year pre-trial diversion, 12 months community supervision
Nueces	Elida Guza Flores	Method of returning marked ballot, unlawful assistance, assisting voter	2005 School District Election	05-CR-5805-4	1 count possessing an official ballot or carrier envelope of another	03/22/06	EC 86.006	1 year pre-trial diversion, 12 months community supervision
Nueces	Isabel Lien Elise Gonzalez	Method of returning marked ballot, unlawful assistance, assisting voter	2005 School District Election	05-CR-5809-3	2 counts possessing an official ballot or carrier envelope of another	03/22/06	EC 86.006	Pled not content to 2 counts of possessing an official ballot or carrier envelope of another, 1 year deferred adjudication, \$500 fine, 12 months community supervision
Nueces	Josefina Martinez Suarez	Method of returning marked ballot, unlawful assistance, assisting voter	2005 School District Election	05-CR-5807-1	1 count illegally possessing an official carrier envelope of another	05/04/06	EC 86.006	Pled guilty to 1 count of illegally possessing an official carrier envelope of another, 1 year deferred adjudication, \$500 fine, 12 months community supervision
Reeves	Thine Villalobos	Method of returning marked ballot	2004 Primary Election	25.185	4 counts possession of an official ballot or official carrier envelope of another	06/27/06	EC 86.006	Jury verdict of guilty on 4 counts of possession of an official ballot or official carrier envelope of another, 10 days jail probated for 6 months probation
Bowie	Willie Howard Ray	Unlawfully obstructing watcher, unlawfully witnessing application for more than one application, unlawful assistance, security of ballots, ballot boxes and envelopes	2004 Primary Election	06M1309-CCL	7 counts possessing an official ballot or carrier envelope of another	07/17/06	EC 86.006	Pled guilty to 1 count information of possession of an official ballot or official carrier envelope of another, 8 months deferred adjudication, \$200 fine, Original indictment dismissed.
Bowie	Jamillah Johnson	Unlawfully obstructing watcher, unlawfully witnessing application for more than one application, unlawful assistance, security of ballots, ballot boxes and envelopes	2004 Primary Election	06M0302-CCL	2 counts possessing an official ballot or carrier envelope of another	07/17/06	EC 86.006	6 months deferred adjudication, \$200 fine
Bowie	Melinda Hunter	Unlawfully obstructing watcher, unlawfully witnessing application for more than one application, unlawful assistance, security of ballots, ballot boxes and envelopes	2004 Primary Election	06M0301-CCL	7 counts possessing an official ballot or carrier envelope of another	07/17/06	EC 86.006	6 months pre-trial diversion
Nueces	Maria Dora Flores	Unlawful assistance, unlawfully influencing voter	2006 Primary Election	06-CR-2166-B	2 counts illegal voting	09/04/06	EC 64.012	Pled guilty to 2 counts illegal voting, 2 years deferred probation, \$750 fine
Reeves	Auria Baeza	Method of returning marked ballot	2004 Primary Election	25.186	5 counts illegally possessing ballots for another person	09/28/06	EC 86.006	6 months pre-trial diversion
Callahan	Debra Bruneau	Illegal voting	2006 Primary Election	2006-8-6465, 2006-8-8466, 2006-8-6467, 2006-8-6468, 2006-8-6469	3 counts illegal voting, 1 count unlawful assistance, 11 counts possessing an official ballot or carrier envelope of another, 6 counts tampering with a governmental record, 6 counts false statement on a registration application	06/25/07	EC 64.012 PC 37.10	Jury verdict of guilty on 2 counts illegal voting, 1 count tampering with a government record, 3 years TDCJ
Refugio	Raymond Villareal	Unlawful assistance	2006 Primary Election	2007-2-4809, 2007-2-4810	4 counts illegal voting, 3 count tampering with governmental record	10/09/07	PC 37.10	Pled guilty to 1 count tampering with government record, 2 years suspended, 5 years community supervision, \$1,500 fine, 90 days jail, \$2,090 restitution

Election Code Referrals to the
Office of the Attorney General
Prosecutions Received

County	Defendant	Allegation	Election Involved	Case Number	Charge(s)	Statute Date	Statute Provision	Disposition
Starr/Brooks	Necelia Lopez	Illegal voting	2006 General Election	07-07-09767 CR	1 count illegal voting	01/24/08	EC 64.012	Dismissal
Hays	Mark Littlefield	Forgery, tampering with a government document	2006 Special Election	99-283	Possession of forged instrument	02/01/08	PC 32.21	1 year pre-trial diversion, \$100 donation
Starr/Brooks	José Rene Gomez	Illegal voting	2006 General Election	07-05-09743 CR	1 count illegal voting	05/01/08	EC 64.012	Pled guilty to 1 count illegal voting, 2 years deferred adjudication, \$300 fine, 2 years community supervision
Starr/Brooks	Oscar Luis Flores	Illegal voting	2006 Primary Election	07-05-09741 CR	12 counts possessing a ballot without the voter's consent, 1 count unlawfully accepting contribution, 1 count organized criminal activity, 1 count unlawfully accepting contribution	05/01/08	EC 86.006	Pled guilty to 12 counts possessing a ballot without the voter's consent, 2 years deferred adjudication, \$300 fine, 2 years community supervision
Pfeiffer	Michael C. Shumatz	Unlawfully accepting campaign donations, bribery	2008 Primary Election	56732-B, 56733-B, 56734-B	6 counts possession of official ballot or carrier envelope of another, 6 counts possession of official ballot or carrier envelope of another, 3 counts possession of official ballot or carrier envelope of another, 2 counts possession of official ballot or carrier envelope of another	06/12/08	PC 71.02	Jury verdict of guilty to 1 count organized criminal activity, 10 years suspended, 8 years community supervision, \$5,000 fine
Dwight/Brooks	Lydia Molina	Unlawful assistance, unlawful buying and selling of ballot materials	2006 Primary Election	08-01-09864, 11479	6 counts possession of official ballot or carrier envelope of another, 6 counts possession of official ballot or carrier envelope of another	10/02/08	EC 86.006	Pled guilty to 1 count possession of official ballot or carrier envelope of another, 1 year deferred adjudication, \$300 fine, 12 months community supervision
Dwight/Brooks	Maria Soriano	Unlawful assistance, unlawful buying and selling of ballot materials	2006 Primary Election	08-01-09863, 11480	6 counts possession of official ballot or carrier envelope of another, 6 counts possession of official ballot or carrier envelope of another	10/02/08	EC 86.006	Pled guilty to 1 count possession of official ballot or carrier envelope of another, 1 year deferred adjudication, \$300 fine, 12 months community supervision
Dwight/Brooks	Elena Gutierrez Lazo	Unlawful assistance, unlawful buying and selling of ballot materials	2006 Primary Election	08-01-09865, 11482	6 counts possession of official ballot or carrier envelope of another, 6 counts possession of official ballot or carrier envelope of another	10/02/08	EC 86.006	Pled guilty to 1 count possession of official ballot or carrier envelope of another, 1 year deferred adjudication, \$300 fine, 12 months community supervision
Dwight/Brooks	Maria Adelina Trigo	Unlawful assistance, unlawful buying and selling of ballot materials	2006 Primary Election	08-01-09866, 11481	6 counts possession of official ballot or carrier envelope of another, 6 counts possession of official ballot or carrier envelope of another	10/02/08	EC 86.006	Pled guilty to 1 count possession of official ballot or carrier envelope of another, 1 year deferred adjudication, \$300 fine, 12 months community supervision
Odessa***	Henri Perbunan Ballanga	Unlawfully divulged voting results prior to the closing of polls	2009 Municipal Election	08-3-8967 CR	1 count unlawfully revealing information before polls close	11/12/08	EC 61.007	Pled nolo contendere to 1 count unlawfully revealing information before polls close, 2 years deferred adjudication, \$3,000 fine, 2 years community supervision
Starr/Brooks	Guadalupe River	Mail-in ballot violation	2006 Municipal Election	08-08-09945 CR	11 counts possessing a ballot without the voter's consent	03/16/09	EC 86.006	Pled guilty to 11 counts possessing a ballot without the voter's consent, 2 years pre-trial diversion, \$500 fine, 60 days house arrest
Starr/Brooks	Ornela Frusko	Illegal voting	2006 Primary Election	07-05-09738 CR	15 counts of possessing a ballot without the voter's consent	03/26/09	EC 86.006	1 year pre-trial diversion
Starr/Brooks	Maria Gonzalez	Illegal voting	2006 Primary Election	07-05-09742 CR	5 counts of possessing a ballot without the voter's consent	03/26/09	EC 86.006	1 year pre-trial diversion
Hill	Leiland Mae Coffey	Divulged election results prior to the closing of polls on election day	2007 School District and Municipal Election	M0593-09	3 counts that report to police officer	10/14/09	PC 37.08	Pled guilty to 3 counts of false report to a police officer, 2 years probation, \$2000 fine, 90 days in jail, pre-trial
Harris***	Jack Carol Crowder	Deceased voters voting	2008 Primary Election	1213818	1 count illegal voting-water impersonation at polling place	10/06/09	EC 64.012	Pled guilty to 1 count fraudulent use of identifying information, 1 year deferred adjudication, \$200 fine
Starr/Brooks	Raul Reyna	Convicted felons registered in county and have cast ballots in election	2007 Municipal and School Election	09-04-09980 CR	2 counts illegal voting	11/05/09	EC 64.012	Pled guilty to 1 count of illegal voting, 2 years TDCJ, \$500 fine
Starr/Brooks	Cynthia Pena	Convicted felons registered in county and have cast ballots in elections	2007 Municipal and School Election	09-04-09881 CR	2 counts illegal voting	11/05/09	EC 64.012	Pled guilty to 1 count of illegal voting, 10 years TDCJ, suspended, 4 years community supervision, \$500 fine
Starr/Brooks	Elizabeth Martinez	Convicted felons registered in county and have cast ballots in elections	2007 Municipal Election	09-04-09982 CR	1 count illegal voting	11/05/09	EC 64.012	Pled guilty to 1 count of illegal voting, 5 years TDCJ

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Election Code Referrals to the
Office of the Attorney General
Prosecutions Received

County*	Defendant	Allegation	Election Event/Type	Count Number	Charge(s)	Prediction Date	Dispositive Case/Probation Profile	Disposition**
Pecos	Drew Nixon	Official oppression	2006 Special Election	2007-C-0193	2 counts of official oppression	01/29/10	PC 39.03	Defense motion for collateral accepted granted. Indictment dismissed.
Dimmit/El Salto	Maria Mendez Garcia	Illegal voting, forgery	2006 Primary Election	08-11-00052 CR	7 counts knowingly provide false information on an application for an early voting ballot	04/15/10	EC 84.0041	12 months pre-trial diversion, \$60 supervision fee, 80 hours of community service
Dimmit/El Salto	Enola Cruz Saez	Illegal voting, forgery	2006 Primary Election	08-12-00063 CR	7 counts knowingly provide false information on an application for an early voting ballot	04/15/10	EC 84.0041	6 months pre-trial diversion, \$60 supervision fee
Jim Wells/Live Oak	Zaida Cruz Blanco	Mail in ballot violations	2008 Primary Election	20068	4 counts of method of returned marked ballot (less than 10)	06/24/10	EC 86.006	Pled guilty to 1 count, 12 months probation, 180 days in jail (suspended), \$200 fine, 40 hours of community service
Jim Wells/Live Oak	Norma Lopez	Mail in ballot violations	2008 Primary Election	20067	8 counts of method of returned marked ballot (less than 10)	06/24/10	EC 86.006	Pled guilty to 1 count, 12 months probation, 180 days in jail (suspended), \$200 fine, 40 hours of community service
Jim Wells/Live Oak	Cynthia Lopez	Mail in ballot violations	2008 Primary Election	20066	3 counts of method of returned marked ballot (less than 10)	06/24/10	EC 86.006	Pled guilty to 1 count, 12 months probation, 180 days in jail (suspended), \$200 fine, 40 hours of community service
Hidalgo/Brewster	Ruben Trevino Garcia	Illegal voting, bribery, and official misconduct	2008 School District Election	09-09-10116 CR	1 count illegal voting	06/17/10	EC 64.012	Pled guilty, 3 years TDCJ-ID suspended for 8 years community supervision, \$500 fine
Star***	Raul Pena, Jr.	Unlawful possession of 56 mail-in ballots by candidate	2010 Primary Election	CR-10-371	1 count of carrier envelope action by another person other than voter	06/22/10	EC 86.0051	Pled guilty, 6 months community supervision, 180 days in jail (suspended), \$500 fine
Starr/Brewster	Mary Lou Garza	Illegal voting	2006 Primary Election	07-07-09768 CR	1 count of unlawful delivery of a certificate	09/15/10	EC 13.145	Dismissed
Hidalgo/Brewster	Mario Manuel Medrano	Illegal voting, bribery, and official misconduct	2008 School District Election	09-09-10117 CR	1 count illegal voting	11/10/10	EC 64.012	Pled guilty, 2 years TDCJ-ID
Dimmit/Live Oak	Christina Lichtenber	Mail in ballot violations	2008 Primary Election	20080, 20081	1 count of unlawful assistance, 1 count of method of returned marked ballot	12/14/10	EC 64.036, 86.006	Pled guilty to Possession of a Ballot and Unlawful Assistance, and received 1 year deferred adjudication, and paid a \$1000 fine and court costs
Dimmit/Live Oak	Audrea Campos Blumstein	Mail in ballot violations	2008 Primary Election	20082, 20083, 20084, 20085, 20086, 20087, 20088, 20089, 20090, 20091	1 count of unlawful assistance, 1 count of method of returned marked ballot	12/14/10	EC 64.036, 86.006	Pre-trial diversion 6 months, \$3,500 donation to the county
Dimmit/Live Oak	Alicia Pena Perez	Mail in ballot violations	2008 Primary Election		4 counts of unlawful assistance, 4 counts of method of returned marked ballot	12/14/10	EC 64.036, 86.006	Pled guilty to 4 counts of Possession of a Ballot and 4 counts of Unlawful Assistance, and received 1 year jail, probation for 12 months, and paid a \$1000 fine and court costs

*** Investigated by OAG, however presented to, and prosecuted by local district/county attorney

* County where offense committed/
County of prosecution

** For complete information on disposition, see judgment and sentence agreement

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Election Code Referrals to the
Office of the Attorney General
August 2002 - Present

COUNTY	ELECTION INVOLVED	SOS DATE	ALLEGATION
Falls	2002 Municipal Election	08/28/02	Allegations of election irregularities
Robertson	2002 General Election	11/27/02	Offering to buy or sell official ballot, envelope, or application
Liberty	2002 General Election	01/08/03	Criminal irregularities
Robertson	2002 General Election	04/14/03	Illegal voting by mail-in
Comal	2004 Primary Election	07/19/04	Providing false information on a mail-in ballot application
Hardeman	2004 Primary Election	09/21/04	Possession of an official ballot by another
Jim Wells	2004 School District Election	09/21/04	Unlawful candidacy, illegal voting, mail-in ballot violations
Bowie	2004 Primary Election	10/26/04	Unlawfully obstructing watcher, unlawfully witnessing application for more than one application, unlawful assistance, security of ballots, ballot boxes and envelopes
Hidalgo	2004 Municipal Election	11/15/04	False statement on application, purportedly acting as agent
Bee	2004 General Election	11/18/04	Application for a ballot by mail was submitted in the name of a dead person
Bee	2004 General Election	11/29/04	Illegal assistance and illegal voting
Reeves	2004 Primary Election	02/02/05	Method of returning marked ballot
Nueces	2005 School District Election	06/08/05	Method of returning marked ballot, unlawful assistance, assisting voter
Hidalgo	2005 Municipal Election	06/16/05	Method of returning marked ballot, unlawful assistance, assisting voter, illegal voting
Waller	2005 Municipal Election	08/29/05	Offering to buy or sell official ballot, envelope or application
Harris	2005 Municipal Election	08/31/05	Method of returning marked ballot, unlawful assistance, assisting voter, illegal voting
Tarrant	2005 Special Election	10/31/05	Unlawfully influencing voter
Wharton	2005 School District Election	12/08/05	Illegal voting
Dallas	2005 Constitutional Election	02/23/06	Unlawfully accepting voter, failing to secure ballot box
Ector	2006 Primary Election	03/14/06	Illegal assistance of voters voting by mail
Duval	2006 Primary Election	03/16/06	Unlawful assistance, unlawful buying and selling of ballot materials
Duval	2006 Primary Election	03/22/06	Providing false information on a voter registration application
Travis	2004 General Election	03/27/06	Illegal voting, providing false information on a voter registration application
Hidalgo	2006 Primary Election	03/29/06	Voter not permitted to mark his own mail-in ballot
Starr	2006 Primary Election	03/30/06	Illegal voting
Culberson	2006 Primary Election	04/05/06	Illegal voting, providing false information on voter registration
Brazoria	2005 Municipal Election	04/07/06	Failure to secure ballot box, obstructing poll watchers, unlawfully revealing information before polls closed
Frio	2006 Primary Election	04/07/06	Unlawful assistance, illegal voting
San Jacinto	2004 Municipal Election	04/10/06	Illegal voting, providing false information on voter registration
Colorado	2005 School District Election	04/18/06	Voting irregularities

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Election Code Referrals to the
Office of the Attorney General
August 2002 - Present

COUNTY	ELECTION INVOLVED	SOS DATE	ALLEGATION
La Salle	2006 Primary Election	04/24/06	Unlawful influence, coercion of a voter
Bowie	2006 Primary Election	04/27/06	Obstructing poll watcher, unlawful assistance, witnessing more than one mail-in ballot application
Bee	2006 School District Election	04/27/06	Unlawful assistance
Dimmit	2006 Primary Election	05/03/06	Illegal voting, forgery
Tarrant	2006 School District Election	05/15/06	Unlawful assistance, mail-in ballot and application violations
Hidalgo	2006 School District Election	06/02/06	Coercion of a voter, unlawful influence, electioneering
Robertson	2003 Municipal Election	06/03/06	Irregularities in the early voting by mail process
Shelby	2006 Municipal Election	06/03/06	Coercion of a voter
Franklin	2006 School District Election	06/05/06	Provided a campaign flyer, electioneering 100 ft. distance, persuading the voters to vote for the bond proposition
Milam	2006 Primary Election	06/13/06	Loitering in a polling place, electioneering
Smith	2006 Municipal Election	06/29/06	Unlawful presence by a candidate
Smith	2006 School District Election	07/10/06	Unlawfully revealing information before polls close, influencing voter
Franklin	2006 School District Election	08/11/06	Illegal voting, illegal registration
Kaufman	2006 School District Election	08/28/06	Witnessing more than one mail-in ballot
Bandera	2006 Special Election	09/11/06	Unlawful presence by a candidate
Tarrant	2006 Municipal Election	09/25/06	Forged signatures on a recall petition
Zavala	2006 General Election	12/01/06	Unlawful assistance
Refugio	2006 Primary Election	12/01/06	Unlawful assistance
Hill	2006 Special Election	12/01/06	Loitering in a polling place, electioneering
Waller	2006 General Election	12/20/06	Disenfranchised from voting
Bee	2006 General Election	01/03/07	Electioneering
Nueces	2006 School District Election	05/07/07	Electioneering by opposing candidate
Brown	2004 Primary Election	05/17/07	Falsification of a candidate's application
Jefferson	2007 Constitutional Election	07/10/07	Loitering in a polling place, electioneering
Hill	2007 School District and Municipal Election	07/10/07	Divulged election results prior to the closing of polls on election day
Montgomery	2007 School District Election	07/18/07	Candidate entered election day polling place & remained during the accumulation of votes
Harris	2007 School District Election	07/18/07	Pro-bond election materials at the polling place
Williamson	2004 Special Election	07/30/07	Illegal voting

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Election Code Referrals to the
Office of the Attorney General
August 2002 - Present

COUNTY	ELECTION INVOLVED	SOS DATE	ALLEGATION
Edwards	2006 General Election	07/30/07	Illegal voting, unlawful assistance
Starr	2006 Municipal Election	07/30/07	Mail-in ballot violations
San Patricio	2006 Municipal Election	07/30/07	Tampering with a governmental record, forgery
Kimney	2006 Special Election	07/30/07	Coercion of a public servant
Dallas	2007 Municipal Election	08/27/07	Electioneering 100 feet from entrance violation
Bosque	2007 School District Election	11/30/07	Illegal voting, unauthorized entry into the ballot box, unlawful influence of voters, and unlawful assistance of voters
Starr	2007 Municipal Election	01/04/08	Unlawful assistance
Henderson	2006-2007 Municipal Election	03/11/08	Illegal voting
Wichita	2007 Constitutional Election	03/11/08	Electioneering and handing out of religious material within 100 feet of the polling place
Gillespie	2008 Primary Election	03/12/08	Unlawfully revealing information before polls close
Duval	2008 Primary Election	05/16/08	Election irregularities
Guadalupe	2008 Primary Election	06/09/08	Loitering in a polling place, electioneering
Duval	2008 Primary Election	06/16/08	Unlawful possession of mail-in ballots
Parker	2008 Municipal Election	06/18/08	Unlawfully suggest how voters should cast their ballots
Kleberg	2008 Primary Election	06/24/08	Unlawfully influencing voter, and loitering in a polling place
Kleberg	2008 Primary Election	06/24/08	Unlawfully loitering in a polling place
Webb	2008 Primary Election	06/24/08	Poll watchers prevented from observing the recount in the sheriff run-off
Kaufman	2008 Primary Election	08/05/08	Loitering in a polling place, electioneering
Hidalgo	2008 School District Election	08/19/08	Illegal voting, bribery, and official misconduct
San Patricio	2008 Municipal Election	09/15/08	Unlawful assistance, unlawful possession of mail-in ballot and illegal voting
Van Zandt	2008 General Election	01/13/09	Electioneering within 100 ft mark at a polling place
Bexar	2008 General Election	01/14/09	Citizen not allowed to vote by an election worker
Hidalgo	2008 Municipal Election	01/14/09	Unlawfully rejecting voters, illegal voting, and unlawfully accepting voters
Harris	2008 Primary & General Elections	01/14/09	Deceased voters voting
Midland	2008 Primary Election	01/28/09	Election workers suggesting how voters should vote by expressing their preference for particular candidates
Denton	2008 General Election	02/23/09	Vote soliciting bribery on the internet (eBay)
Harris	2009 Municipal Election	05/06/09	False statement on mail-in ballot application (deceased voters), forgery
Henderson	2009 School District Election	07/15/09	Unlawfully witnessing more than one mail-in ballot application
Nueces	2008 Primary Elections	08/24/09	Unlawful participation in party affairs
Maverick	2008 Special Election	08/24/09	Electioneering
Dallas	2008 Municipal Election	08/31/09	Refusing to accept a person for voting

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Election Code Referrals to the
Office of the Attorney General
August 2002 - Present

COUNTY	ELECTION INVOLVED	SOS DATE	ALLEGATION
Brown	Undetermined	12/03/09	Misuse of state and federal election funds
Harris	2008 School District Election	12/17/09	Unlawfully influencing a voter, bribery
Robertson	2009 Municipal Election	02/01/10	Unlawfully assisting voter, signing application by witness
Dallas	Municipal Election	03/12/10	Coercion of a voter
Starr	2006, 2008 Primary Elections	04/15/10	Bribery, felons voting, unlawful delivery of voter registration certificate
Trinity	2010 Primary Election	04/19/10	Unlawfully influencing a voter, electioneering, candidate in polling place
Dallas	2010 Primary Election	04/20/10	Unlawfully obstructing watcher, illegal voting, unlawful assistance, failure to witness application, unlawfully witnessing more than one application, providing false information on application, possession of mail-in ballots, unlawful assistance, bribery
Tarrant	2010 Primary Election	04/27/10	Unlawful assistance
Bexar	2010 Primary Election	04/29/10	Unlawfully accepting a voter, unlawfully permitting the deposit of a ballot, and illegal voting
Gonzales	2009 Municipal Election	05/21/10	Providing false information on application, possession of mail-in ballots
Jim Wells	2010 Primary Election	05/21/10	Illegal voting, signing application by witness-assisting applicant, providing false information on application
Runnels	2010 Special Election	07/19/10	Unlawful assistance, unlawfully influencing a voter
Hardin	2010 Primary Election	07/19/10	Coercion of candidacy
Nueces	2010 Primary Election	07/19/10	Electioneering, tampering with a governmental record
Eastland	2010 Municipal Election	07/19/10	Illegal voting
Hidalgo	2010 Municipal Election	07/21/10	Coercion of a voter, unlawful assistance, unlawfully accepting or rejecting a voter, and unlawfully obstructing poll watcher
Cameron	2010 Primary Elections	07/21/10	Mail in ballot violations, forgery
Harris	2010 General Election	09/08/10	False statement on voter registration application, obtaining voter registration applications prior to being deputized, failing to timely deliver voter registration applications, tampering with a governmental record
Wilson	2010 Municipal Election	09/20/10	Illegal voting, unlawful assistance
Rains	2010 Primary Election	09/21/10	Bribery, coercion of candidacy
Caldwell	2010 Municipal Election	09/21/10	Bribery, coercion of candidacy
Pecos	2010 Municipal Election	09/21/10	Bribery, coercion of candidacy
Bexar	2010 School District Election	10/14/10	Illegal voting
San Jacinto	2010 General Election	11/09/10	False statement on voter registration application
Hidalgo	2010 Municipal Election	11/09/10	Bribery, unlawful assistance, illegal voting, unlawfully accepting or rejecting voters

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Election Code Referrals to the
Office of the Attorney General
August 2002 - Present

COUNTY	ELECTION INVOLVED	SOS DATE	ALLEGATIONS
Cherokee	2010 General Election	12/07/10	Unlawfully influencing a voter, unlawful assistance, and coercion of a voter
Hidalgo	2010 General Election	12/07/10	Unlawfully influencing a voter, unlawful assistance, illegal voting, and coercion of a voter
Hidalgo	2010 General Election	12/07/10	Unlawfully influencing a voter, unlawful assistance, illegal voting, and coercion of a voter
Montgomery	2010 Special Election	12/20/10	False statement on application, illegal voting

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COUNTY	ELECTION INVOLVED	*SOURCE OF REFERRAL	ALLEGATIONS
Liberty	2005 Special Election	Voter	Election irregularities
Caldwell	2005 School District Election	Other	Bribery
McMullen	2006 Primary Election	Voter	Unauthorized person in central tallying area, unlawfully revealing information before polls close
Panola	2006 Special Election	Other	Official oppression
Robertson	2006 Primary Election	Voter	Irregularities in the early voting by mail process
Jefferson	2006 Primary Election	Other	Failing to secure ballot box
Nueces	2006 Primary Election	Other	Unlawful assistance, unlawfully influencing voter
Kleberg	2006 Primary Election	Other	Improperly assisting voters w/applications
Johnson	School District Election	Voter	Election violations and fraud
Morris	2006 Primary Election	Voter	Candidate in the counting area
Tarrant	2006 Primary Election	Voter	Vote harvesting
Hidalgo	2004 Primary Election	Other	Illegal voting
Calhoun	2006 Primary Election	Other	Illegal voting
Galveston	2006 Municipal Election	Voter	Unlawful use of public funds for political advertising
Hays	2006 Special Election	Other	Forgery, tampering with a government document
Hidalgo	2006 Municipal Election	Voter	Official request for election records
Dawson	2006 Primary Election	Other	Illegal signs, perjury by falsifying residency info on candidacy application
Hidalgo	2006 Primary Election	Other	Bribery
Comal	2006 Municipal Election	Voter	Unlawful presence by a candidate
Real	School District Election	Voter	Unethical behavior
Johnson	2006 Municipal Election	Voter	Voters not allowed to vote in correct precincts, electioneering
Galveston	2006 Special Election	Voter	Electioneering, and other unspecified election violation
Jefferson	2006 Primary Election	Other	Residence qualification
Hays	2006 Municipal Election	Other	Campaign finance violations, distribution of campaign materials by someone other than candidate
Trinity	Undetermined	Other	Bribery
Goliad	2006 Primary Election	Voter	Elections officials unlawfully divulging voter information before close of polling
Guadalupe	2006 Municipal Election	Other	Illegal corporate campaign donations
Hidalgo	2006 School District Election	Voter	Bribery
Freestone	Municipal Election	Voter	Bribery
Hidalgo	2006 Primary Election	Other	Utilizing county offices, equipment, and personnel for political purposes
Montgomery	2006 Primary Election	Other	Unlawfully accepting or making campaign donation

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Election Code Referrals to the
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August 2002 - Present

COUNTY	ELECTION INVOLVED	*SOURCE OF REFERRAL	ALLEGATIONS
Reeves	2006 Municipal Election	Voter	Failure to publish notice of election, illegal meetings, insufficient and improper voting equipment, improper appointment of elections clerk
Galveston	2006 Primary Election	Other	Mail-in ballot violations
Travis	2004 Primary Election	Voter	Illegal voting in two primaries
Nueces	2006 School District Election	Voter	Unlawful assistance, mail-in ballot and application violations
Duval	2006 School District Election	Voter	Method of returning marked ballot
Jefferson	Primary and General Election	Other	Residence qualification
Aramas	2006 General Election	Other	Illegal voting
Starr	2006 General Election	Other	Illegal voting
Tom Green	2006 Primary Election	Other	Contribution and expenditure w/o campaign treasurer
Guadalupe	2006 General Election	Other	Voter denied their right to vote
Starr	2006 General Election	Other	Illegal voting
Upshur	2006 General Election	Voter	Election irregularities
Nueces	2007 Municipal Election	Other	Voting site preclearance
San Patricio	2007 Municipal Election	Other	Illegal voting
Potter	2008 Primary Election	Other	Unlawfully accepting campaign donations
Webb	2008 Primary Election	Voter	Campaign finance violations
Starr	2007 School District Election	Other	Voter registration certificates w/o proper identification
Polk	2007 Special Election	Voter	Illegal election
Presidio	2008 Primary Election	Other	Voter registration notifications
Titus	2008 Primary Election	Voter	Using state seal in political advertisement
Webb	2008 Primary Election	Voter	Illegal raffie to generate campaign funds
Ector	2008 Primary Election	Voter	Falsification of candidacy application
Harris	2008 Primary Election	Voter	Violated Texas campaign finance laws by utilizing campaign contributions for the purpose of retaining an attorney for other than authorized purposes
Duval	2008 Primary Election	Voter	Unlawful assistance
Jim Wells	2008 Primary Election	Other	Unlawful possession of mail-in ballot
Duval	2008 Primary Election	Other	Unlawful possession of mail-in ballots
Starr	2008 Primary Election	Other	Illegal voting
Bastrop	2008 Primary Election	Voter	Illegal campaign finance

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Election Code Referrals to the
Office of the Attorney General
August 2002 - Present

COUNTY	ELECTION INVOLVED	SOURCE OF REFERRAL	ALLEGATIONS
El Paso	2008 Primary Election	Other	Campaign finance for district attorney
Duval	2008 Primary Election	Other	Ballot boxes appearing after ballot counting had been completed
Dallas	2008 Primary Election	Voter	Election irregularities
LaSalle	2008 Primary Election	Voter	Election irregularities
Bell	2008 Municipal Election	Other	Coercion against candidacy
Dallas	2008 Primary Election	Voter	Election irregularities
Webb	2008 Primary Election	Voter	Unlawful assistance, illegal voting
Falls	2008 Special Election	Other	Official oppression
Robertson	2008 Municipal Election	Other	Illegal voting, mail-in ballot fraud
Calhoun	2008 Primary Election	Other	Write-in candidacy
Duval	2008 Primary Election	Other	Electioneering within 100 ft mark at a polling place
Aransas	2008 Primary Election	Other	Misrepresentation of identity
Travis	2008 Primary Election	Other	How to gain access to the SOS system which electronic voting results from county elections administrators
Live Oak	2008 Special Election	Voter	Open meetings violations
Jim Wells	2008 Primary Election	Other	Mail-in ballot violations
Tom Green	2008 Primary Election	Other	Campaign finance violations
Jasper	2008 Primary Election	Other	Illegal voting
Jefferson	Undetermined	Other	Accepting contributions and fees
Duval	2008 Primary Election	Voter	Voter intimidation and mail-in ballot violations
Duval	2006 Primary Election	Other	Found unopened mail-in ballot during a narcotics search warrant
Brewster	2008 Primary Election	Other	Ballot fraud
San Patricio	2008 Primary Election	Other	Unlawful assistance and unlawful possession of mail-in ballots
Falls	2008 School District Election	Voter	Superintendent and assistant superintendent acting as early voting and voting judge
Panola	2008 Special Election	Voter	Candidate transported student via school bus to court house to vote
San Patricio	2008 Primary Election	Voter	Unlawful assistance and unlawful possession of mail-in ballots
Washington	2008 Primary Election	Voter	Election irregularities
Jefferson	2008 Special Election	Voter	Election misconduct
Sabine	2008 Municipal Election	Voter	Election irregularities
Webb	2008 Primary Election	Voter	Unlawful campaign expenditures
Jasper	2008 Municipal Election	Other	Election irregularities
Goliad	2008 Municipal Election	Other	Unlawfully divulged voting results prior to the closing of polls
Gillespie	2008 Primary Election	Other	Illegal voting
McMullen	2008 Primary Election	Other	Elections irregularities
Waller	2008 School District Election	Voter	Use of public funds for political advertisement
Parmer	2008 Municipal Election	Other	Unlawful influence, coercion of a voter

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Election Code Referrals to the
Office of the Attorney General
August 2002 - Present

COUNTY	ELECTION INVOLVED	*SOURCE OF REFERRAL	ALLEGATIONS
Presidio	2008 Primary Election	Other	Unlawful assistance with mail-in ballots
Starr	2007 Municipal Election	Other	Convicted felons registered in county and have cast ballots in elections
Bowie	2008 Municipal Election	Voter	Violating residency requirements
Duval	2006 and 2008 Undetermined	Other	Convicted felons voting in 2006 and/or in 2008
Austin	2006 Primary Election	Other	Separate accounts
Cameron	2008 Elections	Other	Illegal voting
Wichita	2008 General Election	Other	Unlawfully released police reports and narratives on one of the candidates running for sheriff
Bexar	2008 General Election	Voter	Providing false information on a voter registration application
Terry	2008 General Election	Other	Ineligible to hold the office of county clerk
Jasper	2008 General Election	Voter	Unlawful assistance, unlawfully influencing a voter, and illegal voting
San Jacinto	2008 General Election	Voter	Unlawfully prevented from voting
Webb	2008 Primary Election	Other	Solicitation of campaign funds while on duty, selling of campaigning fundraiser tickets while on duty and misuse of county employees while on county time
Williamson	2008 General Election	Other	Illegal voting
Collin	2008 Primary Election	Other	Campaign finance violations
Polk	2008 General Election	Other	Death row inmates registering to vote
Montgomery	2008 General Election	Voter	Non-citizen voted in election
Harris	2009 Municipal Election	Other	False statement on mail-in ballot application (deceased voters), forgery
Hidalgo	Undetermined	Other	Illegal voting
Bowie	Municipal Election	Voter	Residency of candidate
Angelina	2009 School District Election	Voter	Request for state election observers
Collin	Municipal Election	Other	Unlawfully rejecting voter, and bribery
Jim Wells	2008 Municipal Election	Voter	Illegal voting, voter impersonations, and convicted felons, mail-in ballot violations
Dallas	2009 School District Election	Voter	Residency of candidate
Smith	2009 Municipal Election	Other	Illegal voting
Medina	2009 Municipal Election	Other	Candidate/elected official may have a criminal history which prevents them from holding office, absentee ballots, voter fraud
Bexar	Multiple Primary, General Elections	Other	Illegal voting
Hidalgo	2009 Municipal Election	Voter	Coercion against candidacy
Starr	2006 Primary Election	Voter	Unlawful counting procedures during the recount
Webb	2008 Primary Election	Other	Campaign finance violations

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August 2002 - Present

COUNTY	ELECTION INVOLVED	*SOURCE OF REFERRAL	ALLEGATIONS
Hidalgo	2009 School District Election	Voter	Illegal voting
Goliad	2008 General Election	Voter	Election misconduct
Gonzales	2007, 2008, 2009 Municipal Elections	Voter	Illegal voting, mail-in ballot violations
Waller	2009 Constitutional Election	Voter	Failing to keep voter registrar's office open during polling
Dimmit	2010 Primary Election	Voter	Providing false information on a voter registration application
Dallas	2010 Primary Election	Other	Misrepresentation of identity
Eastland	Undetermined	Other	Campaign finance violations
Duval	2010 Primary Election	Other	Providing false information on a mail-in ballot application
Starr	2010 Primary Election	Other	Providing false information on a mail-in ballot application
Dimmit	2010 Primary Election	Voter	Unlawful possession of mail-in ballots, stealing campaign signs
Dimmit	2010 Primary Election	Voter	Candidate loitering in a polling place, electioneering
Duval	2010 Primary Election	Voter	Failing to sign as a witness or assistant on a mail-in ballot application
Dimmit	2010 Primary Election	Other	Campaign workers following the mail carriers
Jim Wells	2010 Primary Election	Other	Unlawful possession of mail-in ballots
Jim Wells	2010 Primary Election	Voter	Unlawful assistance
Webb	2010 Primary Election	Other	Mail-in ballot fraud
Jim Wells	2010 Primary Election	Other	Unlawful assistance
Starr	2010 Primary Election	Other	Unlawful assistance
Gregg	2010 Primary Election	Voter	Candidate with criminal history
Starr	2010 Primary Election	Other	Unlawful possession of 56 mail-in ballots by candidate
Austin	2010 Primary Election	Voter	Coercion of voters
Zavala	2010 Primary Election	Voter	Failure to secure ballot box, unlawfully rejecting voters
Brooks	2010 Primary Election	Voter	Unlawful assistance, illegal voting, and electioneering
McMullen	2010 Primary Election	Other	Falsification of candidacy application
Dallas	2010 Primary Election	Voter	mail-in ballot violations, illegal voting, and poll place violations
Williamson	2010 General Election	Other	Campaign finance violations
Navarro	2010 Primary Election	Other	Mail-in ballot fraud
Nueces	2010 Primary Election	Voter	Unlawfully removing polling place signs
Dallas	2010 Municipal Election	Voter	Unspecified election violations
Tarrant	2010 Municipal Election	Voter	Residency, illegal voting
Gonzales	2010 Municipal Election	Other	Candidate does not live in city, voters not residents
Williamson	2010 Primary Election	Other	Illegal voting
Bexar	2010 Municipal Election	Other	Illegal voting

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Election Code Referrals to the
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COUNTY	ELECTION INVOLVED	SOURCE OF REFERRAL	ALLEGATIONS
Refugio	2010 Municipal Election	Voter	Unspecified election violations
Parker	2010 Municipal Election	Voter	Election irregularities
Guadalupe	2010 Primary Election	Voter	Falsified information on candidacy petition
Dallas	2010 Municipal Election	Voter	Ineligible election judge
Tarrant	2008 General Election	Voter	Unlawful candidacy
Bexar	2010 School District Election	Other	Illegal voting, voter impersonation
Fort Bend	2010 & 2010 Primary Election	Other	Campaign finance violations
Dallas	2010 General Election	Voter	Mail in ballot fraud
Harris	2010 General Election	Other	Mail in ballot application violations
Zavala	2010 General Election	Voter	Mail in ballot violations, in person voting violations
Harris	2010 General Election	Voter	Unlawfully rejecting a voter
Cameron	2010 General Election	Voter	Mail in ballot violations, securing a ballot box
Bexar	2010 School District Election	Other	Misleading campaign literature
Bryan	2010 General Election	Other	Illegal voting (voter impersonation), unlawfully revealing information before polls close, electioneering
Bowie	2010 General Election	Voter	Unlawfully influencing a voter, carrier envelope action by person other than voter, assisting voter, signing application by witness, assisting applicant, unlawfully witnessing application for more than one applicant

* Referral sources listed as "other" include those from local district and county attorneys, local law enforcement (e.g., sheriffs and police departments), and local elections officials.

Voter refers to voters who make direct referrals to our office through the relevant provisions of the Election Code.

*Referral sources listed as "Voter" include those from voters who make direct referrals to the OAG through the relevant provisions of the Texas Election Code.

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TX_00092254

From: Patricia Harless [phar77379@aol.com]
Sent: Monday, November 21, 2011 9:49 PM
To: Colby Beuck
Cc: Julie Scott
Subject: Re: DRAFT ** RE: Op-Ed in Defense of Photo Voter ID in Today's Chronicle
Attachments: Scan_Doc0001.pdf

This needs more work. All you are going to do is make them more angry with that response

Look at it and tell me the words you shouldn't use. You wrote it in a hurry and it shows

right is from the positive position and not the negative just like we framed the debate

Attached is the article we talked about if you don't have it

-----Original Message-----

From: Colby Beuck <Colby.Beuck@house.state.tx.us>
To: Patricia Harless <phar77379@aol.com>
Cc: Julie Scott <Julie.Scott@house.state.tx.us>
Sent: Mon, Nov 21, 2011 5:35 pm
Subject: DRAFT ** RE: Op-Ed in Defense of Photo Voter ID in Today's Chronicle



Going to use this as a base for other anti-SB 14 responses:

Dear Ms. Clark,

Thank you for your email. I appreciate you taking the time to express your opposition to the photo voter ID legislation. While this is an issue that a strong majority of Texans and residents of District 126 support, I understand that there are opinions on both sides. The purpose of the Senate Bill 14 was not to disenfranchise anyone, but to protect the integrity of the ballot box. In fact, I believe with photo voter ID in place, we will see an increase in turnout, as has been experience in Indiana and Georgia since they enacted voter ID laws.

The purpose of Senate Bill 14 is to ensure the integrity of the elections. As the US Supreme court ruled in ????? ballot access should have at least the same degree of integrity as renting a movie, going to the doctor or cashing a check. SB 14 ensured access to polls by providing for ballot by mail for seniors, exemptions for disabled and indigent???, and free ID for anyone in Texas that does not currently have an approved id. etc

Witness testimony in committee over the last several sessions has been that voter fraud exists. Our elections are too important not to safe guard, because even a few fraudulent votes could swing an election. For example, Representative Donna Howard last election won her seat in the Texas House by 3 votes.

say something like this (I took it from our talking points on VID)

Under the current law, we do not have the tools necessary to stop in-person voter fraud. In fact, in-person voter fraud may not even be evident until after the election has occurred. Over the last couple of sessions we have heard from many witnesses who testified that voter-registration cards have been stolen and false votes cast in those persons names, most of who where deseased. The secretary of state as well as other law enforcement agencies testified about past and current voter fraud that has

been prosecuted. Though more cases happen then prosocuted, even one fraudulent vote can cost an election. Last year, after a re-count, State Rep Donna Howard, won her election by 3 votes.

If you would like to hear the testimony to the committee hearing in the house and the senate on this bill during the 82 legislative session you can go to.....

While we might not be in agreement on this issue, we probably agree on much more than we disagree. Again, thank you for taking the time to write. I always appreciate hearing from my constituents. If my staff or I can be of further assistance, please do not hesitate to contact us.

Sincerely,
Patricia Harless
State Representative
District 126
512.463.0496 (Capitol office)
281.376.4114 (District office)

From: Jacqueline Clark [<mailto:jacquesine@earthlink.net>]
Sent: Tuesday, November 15, 2011 1:50 PM
To: Patricia Harless
Subject: RE: Op-Ed in Defense of Photo Voter ID in Today's Chronicle

Dear Ms. Harless,
I read your piece in this morning's Chronicle and I find it very disappointing that you support requiring photo voter ID. You failed to cite any evidence of any alleged voter fraud, and raising new barriers for voters seems sadly reminiscent of things like poll taxes and literacy tests. I'm sorry to learn this about you.

Jacquie Clark
jacquesine@earthlink.net
281-687-6620 cell

From: Ann McGeehan [AMcGeehan@sos.state.tx.us]
Sent: Friday, February 25, 2011 4:47 PM
To: Colby Beuck
Subject: FW: Number of voters that do not have an associated TDL/SSN

Follow Up Flag: Follow up
Flag Status: Flagged

Question: What is the number of voters that do not have a Texas Drivers License/Personal Identification Number or Social Security Number in the statewide voter database?

Prior to 1/1/2006, drivers license and social security numbers were optional fields on the voter registration application. Since HAVA became effective on 1/1/2006, all new voter applicants must provide a driver's license or personal id number issued by DPS or if they have not been issued a driver's license or personal identification card, then they must provide the last four digits of their social security number. If the applicant has neither the drivers license, personal identification card or the SSA number, then they must state that fact and they are flagged as having to present ID when they present themselves for voting. Below are two sets of numbers. The first set of numbers reflects new registrations since January 2006 and shows what identification number that new applicants provided. The second set of numbers reflects the entire statewide file of registered voters and shows which identification numbers were provided by applicants before and after January 2006.

January 1, 2006 through December 31, 2010

Number of voters who registered with a TDL/ID:	2,334,281
Number of voters who registered with a SSN:	294,142
Number of voters who registered with both:	1,312,638
Number of voters who registered without either:	34,506

All voters in the state:

Number of voters with a TDL/ID:	5,215,386
Number of voters with a SSN:	2,124,570
Number of voter with both:	4,624,334
Number of voters with neither number:	690,887 ***

*** This number represents all the voters that do not have a TDL or SSN associated with their voter record. It is possible that one of these persons does in fact have a TDL or SSN and they simply did not provide it when they registered to vote (such numbers were optional prior to Jan 2006).

Ann McGeehan
Director of Elections
Office of the Texas Secretary of State
amcgeehan@sos.state.tx.us
512-463-9871



From: Ann McGeehan [AMcGeehan@sos.state.tx.us]
Sent: Friday, February 25, 2011 1:24 PM
To: Patricia Harless; Colby Beuck
Cc: John Sepehri
Attachments: Senator Fraser 1-25-11.pdf; EAC letter on informal advice0001.pdf; Indiana EAC Letter0001.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Representative Harless:

Attached are the three letters that we mentioned concerning the availability of federal HAVA dollars for a statewide voter education effort on the new ID requirements. The two other items you asked about was numbers of complaints we have received about possible voter fraud, and the number of registered voters that do not have a driver's license or personal identification card issued by DPS.

We are currently compiling copies of all written complaints, complaints registered by phone and by email and we expect to be able to deliver them to your office before COB today. The complaints by phone and email are considerably more informal than the written complaints we receive so it is harder to categorize them. However, we can tell you that since 2007, this office has referred 72 complaints to OAG. Of those referrals, 9 involved potential voter impersonation. However, please note that even if one assumes voter impersonation efforts would be readily detected, we cannot meaningfully draw any conclusions from our referrals because election fraud may be reported directly to local prosecutorial authorities or the OAG.

Lastly, concerning the numbers of voters who have not been issued TDL/personal id cards by DPS, we are still working with our IT Dept to analyze that data, and hope to have an analysis by Monday.

I hope this is helpful to you, and if you need to reach me over the weekend, you can call my personal cell phone, which is 512-619-7587.

Ann

Ann McGeehan
Director of Elections
Office of the Texas Secretary of State
amcgeehan@sos.state.tx.us
512-463-9871



Colby Beuck

From: Jessica Gomez [jgomez@Advocacyinc.org]
Sent: Friday, February 25, 2011 7:21 PM
To: Colby Beuck
Subject: 50% va disability & social security disability
Attachments: va ratings for unemployability.doc

Hi Colby,

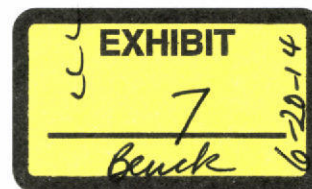
I did some research on the VA disability ratings. Since the threshold for social security disability is proving that you can't work, I looked at what the VA disability ratings were for those who are unemployable because of their disability. If you are unemployable, you automatically have a VA rating of at least 60%, possible more if you have more than one disability. I think that means that those on social security would rate at least 50% on the VA disability scale – so we are on the right track providing the exemption for those that receive ss or va benefits. However, this is definitely a rating used only by the military and others with disabilities won't be familiar with it, or know what their rating is. So I would suggest saying you that you meet the exemption if you receive social security benefits OR have a VA disability rating of at least 50%. I'm attaching the ratings research, which I found here, halfway down the page under "General Policy in Rating" <http://www.benefits.va.gov/warms/bookc.asp>

In addition, I think we should make sure that people who are already registered to vote and are eligible for the exemption can receive a new voter registration card with an indication that they have the exemption.

I'm also a little worried that some members might have a problem with the affidavit in place of providing documentation. Have you talked with other committee members about the exemption? I have a little bit of a sense of where the opposition might come from since I talked with many members' office about the exemption this week. Call me if you'd like to discuss.

Thanks again for your work on this!

Jessica Gomez
Voting Rights Policy Specialist
Advocacy, Inc (soon to be Disability Rights Texas)
7800 Shoal Creek Blvd
Austin, TX 78757
512.407.2732





7800 Shoal Creek Blvd
Austin, TX 78757
voice/tdd: 512.454.4816
intake: 800.252.9108
fax: 512.323.0902
jgomez@advocacyinc.org
www.advocacyinc.org

Voter ID Disability Exemption

The disability exemption in SB 14 currently reads:

(i) An applicant who wishes to receive an exemption on the basis of disability from the requirements of Section 63.001(b) must include a certification from a physician that the person has a disability as defined by Section 21.002, Labor Code, with the person's application.

SECTION 2. Section 15.001, Election Code, is amended by adding Subsection (c) to read as follows:

(c) A certificate issued to a voter who meets the certification requirements of Section 13.002(i) must contain an indication that the voter is exempt from the requirement to present identification other than the registration certificate before being accepted for voting.

Why is the exemption needed?

- Transportation
 - Many people with disabilities do not drive, and therefore do not have driver's licenses
 - Public transportation is not available in rural areas, making it difficult to get to a DPS office to obtain photo ID
- Fixed Incomes
 - Many people with disabilities live on very low, fixed incomes, making the cost of obtaining supporting documents (such as a birth certificate) prohibitive
- Institutional Residents
 - Many people with disabilities live in institutional settings, where it is often unnecessary to have a photo ID and is difficult to obtain one
- Physical Immobility
 - Some people have severe physical disabilities that confine them to their homes or relatives' homes
- Low Voter Turnout
 - People with disabilities are already less likely to vote because of perceived barriers

Problems with the current exemption:

- Some members have expressed confusion about the exemption, the definition of disability, and who would be eligible to receive the exemption.
- Obtaining a physician's certification of disability can be difficult and potentially costly.

Hinesley, Barbara

From: Colby Beuck [Colby.Beuck@house.state.tx.us]
Sent: Tuesday, March 22, 2011 7:55 PM
To: DPS Government Relations
Subject: RE: Voter ID

Gretchen,

Does the temporary ID or DL issued have a photo?

Colby

From: DPS Government Relations [mailto:Government.Relations@txdps.state.tx.us]
Sent: Tuesday, March 22, 2011 5:47 PM
To: Colby Beuck
Cc: Davio, Rebecca; Terry, Michael; Arriaga, Amanda
Subject: RE: Voter ID

Colby,

A couple of things to keep in mind:

We do issue a temporary DL or ID immediately to an individual that visits a Driver License office and presents the required documents. Remember, though, that that temporary receipt does not have the security features that would be associated with the physical card. We are currently able to mail the physical card within 15-20 days.

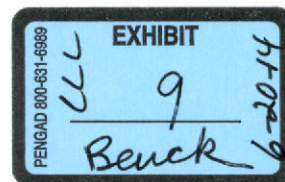
Also, while this amendment would allow an individual whose DL or ID was stolen to vote using a police report, there are several other reasons that a DL or ID may no longer be in a person's possession. Cards are frequently lost or damaged.

As to whether a temporary DL or ID would be acceptable for voting purposes, that will depend on the legislative intent.

If you have any other questions, please let us know.

Thanks,

Gretchen Essell
Legislative Coordinator
Office of Government Relations
Texas Department of Public Safety
(512) 424-2933
gretchen.essell@txdps.state.tx.us



From: Colby Beuck [mailto:Colby.Beuck@house.state.tx.us]
Sent: Tuesday, March 22, 2011 11:58 AM
To: DPS Government Relations
Subject: Voter ID

Here is the amendment I was referring to by Rep. Giddings. What we want to know is how long it would take to get a DPS photo id if your DL was stolen. Also, would that temporary photo ID be an acceptable form of ID under the bill?

In SB14, acceptable forms of ID relating to DPS:

(1) a driver's license or personal identification card issued to the person by the Department of Public Safety that has not (or a similar document issued to the person by an agency of another state, regardless of whether the license or card has) expired or that expired no earlier than 60 days before the date of presentation;

Thanks for your help,

Colby

OTB Resolution

Thank you Mr. Speaker and Members,

This is a resolution to allow the voter ID conference committee to go outside the bounds to make clarifying corrections.

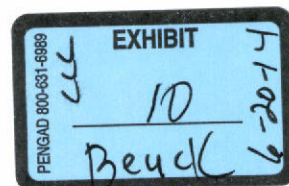
The conference committee report creates a separate free photo ID for voting purposes, called an "election identification certificate". The election identification certificate mirrors existing law and is essentially the same as a DPS personal ID card, except that the election ID may only be used for voting purposes. Election IDs issued to voters 70 or older do not expire. The added language ensures the free IDs issued by DPS for voting will not impact the Texas Mobility fund. Although TxDOT stated that the original language in SB 14 would not have materially or significantly reduced revenue to the Mobility Fund, the conference committee made this clarification to eliminate any concerns.

in essence create an additional form of ID for voting

The conference committee report also clarifies that a voter claiming a religious exemption to showing photo ID must have consistently refused to being photographed for any governmental purpose. This is to ensure those claiming this exemption are doing so for legitimate reasons.

I move to adopt the resolution

DPS my understanding + Expectation that DPS w/ put a photo on Election ID Certificate



Conference Committee Report

I would like to call up the conference committee report on Senate Bill 14.

Speaker:

Thank you Mr. Speaker and Members,

After an 11 hour debate on the bill, I think everyone is very familiar with the provisions in the voter id bill, so I would like to touch on the major points in the conference committee report, and then discuss the differences as compared to the House version.

The Conference Committee Report to SB 14:

- Requires voters to show a photo ID, except that certain disabled people may continue to vote with just their voter registration card
- Acceptable photo IDs include identification issued by DPS (for most this will be their driver's license), a military ID, a passport, a CHL, or a citizenship certificate with a photo
- Requires DPS to provide a free photo election ID to any registered voter who requests an ID
- Allows a voter to cast a provisional ballot if they do not have a Photo ID and return within 6 days to have the ballot counted
- Provides that provisional ballots will be counted if voter shows acceptable photo ID or signs an affidavit that the voter has a religious objection to getting photo taken, or lost their ID during a recent natural disaster
- Requires the Secretary of State and voter registrars to educate the public and train election workers on the new requirements, including mailing notice to each voter and posting notice outside all polling places
- Increases criminal penalties for illegal voting.
 - o From a third degree felony (2-10yrs) to a second degree felony (2-20yrs), and the penalty for attempting to fraudulently vote is increased from a Class A misdemeanor (180days max county jail) to a state jail felony (180days-2yrs state jail).

Differences Between CCR and House Passage

Before I talk about what is not in the conference committee report, I would like to mention that out of the 15 amendments added on the House floor, 8 were kept in the legislation in some form. Those include amendments by Representatives Anchia, Yvonne Davis, Bonnen, Hochberg, Eiland, and Dukes.

Provisions Removed

Exemption for voters who had their ID stolen was removed. (Giddings)

- Exemption would result in more paperwork with which election workers may not be familiar with. Section of the Penal Code ^{named} in the exemption applies to all forms of identity theft, not just the actual theft of a person's ID.
- The Senate felt strongly that this provision should be removed.

IDs approved by state are removed as an acceptable form of ID. (Alonzo)

- Concerns over the language being too broad. What is a state approved ID?
- We believe the types of Photo ID's in the conference committee report are more uniform and less confusing. These documents have standardized of form. They are simpler for the voters and election poll workers to recognize.

Tribal IDs are removed as an acceptable form of ID. (Naomi Gonzalez)

- Tribal IDs do not have a single standardized form. Census data shows that there are less than 5000 tribal members in Texas. ^{there is} No evidence that this number of voters do not already have ^{the} other forms of acceptable ID.

not necessary We believe the types of Photo ID's in the conference committee report are more uniform and less confusing. These documents have standardization of form. They are simpler for the voters and election poll workers to recognize.

The report removes the floor amendment regarding temporary photo IDs.

(Lucio)

- According to DPS, the language would have shut down DPS online renewals because of requirement that temporary ID have a photo. ^{that} Would cost the state millions by requiring people show up in person to renew licenses, requiring resources to deal with the increase to the lines at DPS driver's license offices.

Language which would have allowed provisional affidavits to be signed at the polling place was removed. (Veronica Gonzales)

- Language creates a loophole (effectively eliminates the 6 day cure process, election judges would be performing same functions as voter registrar)
- The Senate felt strongly that this provision should be removed.

Yvonne Davis

The report removes requirement that SOS education efforts target low income/minority voters (Miles)

- Language not necessary because the conference committee report provides for extensive education for all voters.

The report returns to original definition of the early voting ballot board (Dutton)

- The change was not substantive, and the drafters would have needed to add in many cross-references throughout the Election code, which were not contained in the bill, to correctly ^{edit} draft the name change. +

Notable Provision Kept/Modified

Representative Eiland added an exemption for natural disasters. This exemption remains in bill, but is modified.

- Voters would have to claim this exemption by returning within 6 days and signing an affidavit. This exemption may be claimed only 45 days (time to get new ID) after a natural disaster. The exemption only applies to disasters which destroy or cause an inability to access the voters ID, excluding heat waves, droughts.

- Why kept in? The potential to impact a large number of voters.

← Representative Harper-Brown added an amendment which removed the indigent and religious exemptions. The conference committee report adds back in the religious exemption.

- The religious exemption is part of the Indiana Law which was upheld by the Supreme Court.

Representative Anchia's amendment regarding fees for duplicate IDs, was moved to the new section regarding DPS election ID certificate.

The conference committee report creates a separate free photo ID for voting purposes, called an "election identification certificate". The election identification certificate mirrors existing law and is essentially the same as a DPS personal ID card, except that the election ID may only be used for voting purposes. Election IDs issued to voters 70 or older do not expire. The added language ensures the free IDs issued by DPS for voting will not impact the Texas Mobility fund. Although TxDOT stated that the original language in SB 14 would not have materially or significantly reduced revenue to the Mobility Fund, the conference committee made this clarification to eliminate any concerns.

Yvonne Davis - Provisional will be counted
I move to adopt the conference committee report.

① eligible to vote
* New
② correct precinct
③ provisional will be counted

General Q & A

Isn't bill now more restrictive than Indiana's or Georgia Law?

It is my belief that SB 14 is constitutional. We are offering a bill that is in compliance with the US Supreme Court decision which upheld the Indiana Voter ID legislation because, it deters and detects fraud, it protects public confidence in elections, it counts only eligible voters' votes. Furthermore, although voter ID laws in other states have been heavily litigated, plaintiffs have been unable to produce a single individual who either did not have an ID or could not easily find one.

Plus, it complies with the Supreme Court decision because it offsets the new requirements on voters by:

- Providing access to free photo ID cards
- Allowing for provisional ballots and absentee ballots
- Ensuring that obtaining photo ID is no more burdensome or inconvenient than the usual act of voting
- Provides exceptions for voters who are disabled, have religious exemptions, or who have lost IDs due to a natural disaster.



May 6, 2011

The Honorable Rafael Anchia
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768-2910

Dear Representative Anchia:

Thank you for your letter regarding SB 14 and its potential impact on the Texas Mobility Fund (TMF). As you noted in your letter, your requests related to the version of SB 14 that the Texas House passed on third reading on March 24, 2011. As you may know, on May 4 the Legislature issued a Conference Committee Report (CCR) that makes revisions to SB 14 that we believe are significant to your inquiries. Most notably, Sections 14 and 20 of the CCR version of SB 14 provide for the issuance of a new "election identification certificate," to be used (in addition to a driver's license or a personal identification card) for voting purposes (but only for voting purposes). Because this version continues to require fees for personal identification cards and provides for the issuance of free election identification certificates that did not previously exist and that can only be used for voting purposes, it does not reduce the dedication of this source of TMF funding. If the earlier version of SB 14 created the constitutional issue to which your letter alluded, we believe that the CCR eliminates any such concerns.

Nevertheless, most of the requests in your letter relate to the Department's "ability to issue bonds" under the TMF, rather than to any potential constitutional issues. In light of that, we are happy to provide the following general responses, based on a review by the Department's legal advisors of the resolutions authorizing the TMF bond issues as well as Art. III, Sec. 49-k of the Constitution and relevant provisions of the Transportation Code:

1. The simple reduction or decline in a specific amount of fee revenue would not cause an impairment to the TMF, but a legislative act or acts that cause such a reduction impermissibly could certainly result in an impairment, depending on all relevant facts and circumstances. We believe the CCR eliminates or, at least, significantly alters the "estimated annual reduction of \$9 million" to which you have referred. Nevertheless, the previously-estimated \$9 million reduction in ID Fee annual revenues, if correctly estimated, would not keep the TMF from being able to pay debt service on outstanding, currently issued TMF bonds.
2. The Department is engaging in various ongoing analyses regarding the state's ability to issue additional TMF bonds over the next 10 years. Based on the most recent biennial revenue estimate, estimated revenues coming into the TMF during FY 2011, 2012, and

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The Honorable Rafael Anchia

-2-

May 6, 2011

2013 will not exceed debt service requirements during those years by an amount sufficient to meet the required 110 percent debt service coverage test for issuance of additional bonds under Sec. 201.943 of the Transportation Code. The Department continues to monitor evolving facts and circumstances and estimated revenues pertinent to satisfaction of the statutory test. At this point, it is premature to reach a conclusion as to whether a loss of revenue from ID Fees would make a difference in the state's eligibility to issue additional TMF bonds, including refunding bonds that could generate a savings in TMF debt service costs.

3. The Department takes seriously any proposed legislation that might have a potential impact on the constitutional requirements of paragraph (f) of the Art. III, Sec. 49-k or on the covenants of the Transportation Commission in the bond resolutions authorizing the TMF bonds. Based on our analysis, the amount of revenue that would be lost from any reduction in ID Fee revenue, even the estimated reduction from the earlier version of SB 14, is not material or significant in light of the size of the TMF. Under the CCR version of SB 14, any reduction in revenue is significantly minimized and may be eliminated.
4. If the Department is obligated to notify the Municipal Securities Rulemaking Board regarding the TMF bonds after the end of the legislative session, a copy of the notice will be provided to you.

I hope the above responses are helpful. Please let me know if I can be of further assistance once the full facts and circumstances affecting these issues are known.

Sincerely,



Deirdre Delisi
Chair
Texas Transportation Commission

cc: The Honorable Rick Perry, Governor
The Honorable David Dewhurst, Lt. Governor
The Honorable Joe Straus, Texas House of Representatives
The Honorable Tommy Williams, Texas Senate
The Honorable Larry Phillips, Texas House of Representatives
Texas Transportation Commission

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STATE OF TEXAS
HOUSE OF REPRESENTATIVES
DISTRICT 103

RAFAEL ANCHIA
MEMBER

RECEIVED BY
MAR 25 2011
COMMISSION OFFICE

March 25, 2011

Ms. Deirdre Delisi
Chair, Texas Transportation Commission
125 E. 11th Street
Austin, Texas 78701-2483

Dear Chairwoman Delisi:

As I am sure you are aware, the Texas House passed SB 14 on third reading yesterday -- the bill requiring voters to present photo identification when voting at a polling place. I am writing you to ask for your assessment of how the changes made by that bill will affect TxDOT's ability to issue bonds under the Texas Mobility Fund in the future.

SB 14 has a specific provision that provides free state IDs to individuals who register to vote. During the floor debate, Rep. Trey Martinez Fischer and I both raised issues concerning this bill's cost to the Texas Mobility Fund. As I understand Art. III, Sec. 49-k(f) of the Constitution, the Legislature may not "reduce, rescind or repeal" a source of revenue or portion of revenue dedicated to the Mobility Fund unless it is replaced by a dedicated revenue source of equal or greater value. According to statistics provided to my office by the Department of Public Safety, this bill could potentially reduce funding to the Mobility Fund by up to \$9 million per year this biennium and would exceed \$9 million per year in succeeding biennia as anticipated revenues would increase due to population growth. (Please see attached.)

I would like to request from your office:

- an assessment of how the estimated annual reduction of \$9 million may impair currently issued bonds that are paid for by the Mobility Fund;
- an analysis of the state's ability to issue additional Mobility Fund bonds over the next 10 years under current revenue projections compared to its ability to issue new bonds if the Mobility Fund's annual dedicated revenue is reduced by \$9 million;
- TxDOT's own assessment of how SB14 will impact dedicated revenue to the Mobility Fund; and
- a copy of any notifications that TxDOT would send to bond holders as a consequence of revenue projection revisions due to SB14.

Please provide this information to my office as it is made available.

CAPITOL OFFICE: POST OFFICE BOX 2910 AUSTIN, TEXAS 78768-2910 • (512) 463-0746 • FAX: (512) 463-5896
DISTRICT OFFICE: 1111 W. MOCKINGBIRD LANE • SUITE 1330 • DALLAS, TEXAS 75247 • (214) 943-6081 • FAX: (214) 920-9996
RAFAEL.ANCHIA@HOUSE.STATE.TX.US

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March 25, 2011
Ms. Delisi
Page Two

I support providing free IDs to people who will need them to vote. However, I want to ensure that the state provides those free IDs in a manner that does not create another structural deficit, and in a manner that is consistent with the Texas Constitution. Your assistance would be greatly appreciated. Please contact my Legislative Director, Damien Brockmann in my Capitol office, if you have any questions regarding my request.

Sincerely,

Rafael Anchia

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COMMISSION OFFICE

New and Renewed IDs

Duplicate IDs

Total Revenue Generated By State ID Fees

*For new and renewed IDs, \$5/ \$15 (+60/ <60) of the fee is dedicated to the mobility fund.
 ** For duplicate IDs (which includes change of name and address), \$10 of the fee is dedicated to the mobility fund.
 + Applications for both state IDs and driver licenses dropped dramatically after DPS changed the requirements to obtain a state ID or DL in 2008.

	INDIANA LAW	GEORGIA LAW	TEXAS - CSSB 14	TEXAS - CURRENT LAW
REQUIRED I.D.	<p>One photo ID:</p> <ul style="list-style-type: none"> state or federal ID that includes name, photo, and expiration date (specific forms of ID not provided) 	<p>One photo ID:</p> <ul style="list-style-type: none"> driver's license (even if expired) state or federal photo ID local, state, or federal govt employee photo ID U.S. passport military photo ID tribal photo ID 	<p>One photo ID:</p> <ul style="list-style-type: none"> DPS (current or expired no more than 60 days) military photo ID (current or expired no more than 60 days) citizenship certificate with photo U.S. passport (current or expired no more than 60 days) CHL (current or expired no more than 60 days) 	<p>voter registration card</p> <p>- OR -</p> <p>sign affidavit at polls</p> <p>AND</p> <ul style="list-style-type: none"> DPS-issued ID (even if expired) any photo ID with name birth certificate citizenship papers U.S. passport govt-issued mail or document other ID prescribed by Sec of State
EXCEPTIONS TO PHOTO REQUIREMENT	<ul style="list-style-type: none"> indigent religious objection voters in state-licensed care facility 	none	<ul style="list-style-type: none"> religious objection disabled under social security or 50% veterans 	(photo ID not required)
PROVISIONAL BALLOT	If no ID, voter may cast provisional ballot and may return within 10 days with ID for ballot to be counted.	If no ID, voter may cast provisional ballot and may return within 2 days with ID for ballot to be counted.	If no ID, voter may cast provisional ballot, and may return within 6 days with ID for ballot to be counted.	If no ID, voter may cast provisional ballot, and registrar must confirm eligibility within 7 days
REQUIRED VOTER EDUCATION	secretary of state conducts statewide education campaign for voters and poll workers	none	secretary of state conducts statewide education campaign for voters and poll workers	N/A

(The Indiana law was upheld by the Supreme Court and the Georgia law was upheld by the DOJ)

Here's my attempt to condense the religious exception language. In my opinion (though I will obviously defer to Karina and Griesel), I think this requires us to go outside the bounds. Note that we need to make sure that (b)(3) is broken out separately and not made part of (b)(2)(B)). Also, I removed Jonathan's language requiring the person to explain their beliefs and state how long they've held them; that seems to be a policy change and not a legal change, and I don't think it is necessary.

(b) A provisional ballot shall ~~may~~ be accepted ~~only~~ if the board determines that:

(1) ~~if~~ from the information in the affidavit or contained in public records, the person is eligible to vote in the election and has not previously voted in that election;

(2) the person:

(A) meets the identification requirements of Section 63.001(b) at the time the ballot was cast or in the period prescribed under Section 65.0541; or

(B) notwithstanding Chapter 110, Title 5, Civil Practices and Remedies Code, executes an affidavit under penalty of perjury that states the voter has a religious objection to being photographed and has consistently refused to be photographed for any governmental purpose from the time the voter has held this belief; and

(3) the voter has not been challenged and voted a provisional ballot solely because the voter did not meet the requirements for identification prescribed by Section 63.001(b).

CCR SB 14

Page 1 of 1

From: Colby Beuck <Colby.Beuck@house.state.tx.us>
To: Patricia Harless <phar77379@aol.com>
Subject: CCR SB 14
Date: Wed, Apr 20, 2011 11:03 am

Differences Between CCR SB14 and House Passage SB14

CCR adds back the religious exemption, but with tightened language. Voter must return within 6 days to sign affidavit claiming religious exemption, and the voter has consistently refused to be photographed for any governmental purpose.

CCR removes requirement that SOS education efforts target low income/minority voters (Miles). OAG/SOS concerns.

Exemption for voters who had their ID stolen (Giddings) is removed. Senate concerns. Penal code section references identity theft, but identity theft does not mean that you have no acceptable form of identification. Not in Indiana/Georgia law. Opens door for fraudulent filing of police reports to get around photo ID requirement. Would result in more paperwork with which election workers may not be familiar with.

Natural disaster exemption language (Eiland) remains in CCR, but moved to provisional section. Voters claiming this exemption will have to return within 6 days and sign an affidavit. 45 day limit from natural disaster to voting day. Language tightened to apply only to disasters which destroy or cause an inability to access ID (excludes drought, heat wave natural disasters).

CCR removes Tribal IDs as an acceptable form of ID (Naomi Gonzalez). Tribal IDs have no standardized form. No evidence that this small number of voters do not already have other form of ID.

CCR removes ID approved by state as an acceptable form of ID (Alonzo). Language was too broad.

CCR removes language which would have allowed provisional affidavits to be signed at the polling place (Veronica Gonzales).

CCR removes temporary ID language (Lucio). Language would have shut down DPS online renewals because of requirement that temporary ID have a photo.

CCR replaces language providing free DPS personal ID with language that provides a free DPS "election identification certificate". Election ID certificate is essentially the same as a DPS DL and personal ID, except that the Election ID certificate is valid only for voting. Change made to address concerns about free DPS personal IDs in SB14 taking away from mobility fund, which could possible reduce bond rating.

=

SB 14 - Conference Committee Report

Highlights

- Requires voters to show a photo ID, except that certain disabled people may continue to vote with just their voter registration card
- Acceptable photo ID includes an unexpired card issued by DPS (for most this will be driver's license), a military ID, a passport, a CHL or a citizenship certificate with photo
- Requires DPS to provide a free photo election ID (new format) to any registered voter who requests an ID
- Allows a voter to cast a provisional ballot if he/she does not have a Photo ID and return within 6 days to have the ballot counted
- Provides that provisional ballots will be counted if voter shows acceptable photo ID or signs affidavit that voter has religious exemption to getting photo taken or lost ID during recent natural disaster
- Requires SOS and voter registrars to educate the public and train election workers on the new requirements, including mailing notice to each voter and posting notice outside all polling places
- Increases criminal penalties for illegal voting (mandatory jail time)

Voter ID Differences

- SEC 1 - Disability Definition - House better, but . . .
- SEC 5 - Voter ID identification target at low-income voters (OAG dislikes)
- SEC 9 - Hochberg amendment . . . Governor veto of HB 1457
- SEC 9 - Davis amendment - Provisional ballot counted . . . SOS says hard to administrate
- SEC 9 - Over 70 as of 1-1-12 exemption (Two class of voters?)
- SEC 9 - Disability exemption (Two class of voters? / If you can make it to polls, why can't you make it to DPS?)
- SEC 9 - Eiland amendment - natural disaster - too broad . . . who leaves without id?
- SEC 9 - Giddings amendment - stolen identity does NOT mean stolen id
- SEC 14 - Tribal ID - too broad and easy to be faked
- SEC 14- ID approved by state - too broad and easy to be faked
- SEC 15 - Gonzalez amendment - GUTS photo-id at the polling place
- SEC 17 - 60 Day option to cast provisional ballot
 - Senate - exemption for indigent (is it necessary?) / religious (OAG likes)
 - House - bring photo-id back (Senate filed language)
- SEC 18 - Tied to decision in SEC 17
- SEC ___ - Lucio amendment - One day temporary ID -- too expensive / easy to fake
- SEC ___ - Anchia amendment - Not necessary / too expensive
- SEC ___ - Bonnen amendment - Severability (OAG likes)

From: Colby Beuck <Colby.Beuck@house.state.tx.us>
To: Patricia Harless <phar77379@aol.com>
Subject: Conference Issues
Date: Fri, Apr 8, 2011 6:05 pm

Some thoughts on these amends after looking closely at them. Waiting to hear from OAG and SOS Monday morning. Naomi G's office is getting the info on tribal IDs.

Alonzo Amend FA 20, Sec 14

Adds as an acceptable ID , and ID card that contains the person's photograph and is issued or approved by the state.

<http://www.house.state.tx.us/video-audio/chamber/> on the 3/23 tape around 7:06. Moves away from the 6 recognizable standard IDs. "Approved by the state" is broad, and not sure what that means?

Gonzales Amendment FA 26, Section 15

On tape around 7:47

The amendment language applies only to affidavits executed when people are claiming the indigent/religious exemption. Under the amendment, someone could sign an affidavit at the polling place the day of election stating they don't have ID because indigent/religious objection, and then vote provisionally. In practice, it would be a valid vote with no cure (no second trip). The Senate Bill requires the person to go to the voter registrar to cure the provisional ballot. However the amendment conflicts with the Harper-Brown Amendment which striped out the indigent/religious exemption (there is no Section 65.054(b)(2)(B) as the bill passed the House).

Senate Version: Affidavit must be executed in the presence of the voter registrar.

House Version: Affidavit may be executed at polling place in presence of election official or in the presence of the voter registrar.

From: Russo, Vincent [vrusso@sos.ga.gov]
Sent: Thursday, March 03, 2011 11:14 AM
To: Colby Beuck
Subject: RE: Voter ID News

Thanks Colby,

Please let us know if there is anything else we can assist with, and thanks for all your help in preparation for Secretary Kemp's testimony.

Best regards,

Vincent R. Russo
General Counsel
Office of Georgia Secretary of State Brian P. Kemp
214 State Capitol
Atlanta, Georgia 30334
P: (404) 656-2881
F: (404) 656-0513

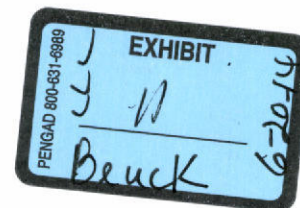
From: Colby Beuck [mailto:Colby.Beuck@house.state.tx.us]
Sent: Wednesday, March 02, 2011 12:58 PM
To: Carrothers, Matthew; Russo, Vincent
Subject: Voter ID News

Matt and Vincent,

Here is a link to a story on some of the Capitol news from yesterday, with an interview from Secretary Kemp. He did a really great job representing your state and the benefits of photo id. Thank you for your help in setting things up in such short time!

<http://www.kvue.com/news/Minority-hard-to-stomach-as-dems-face-GOP-agenda-117201693.html>

Colby Beuck
Chief of Staff
Representative Patricia Harless
512.463.0496



onecle

AdChoices

▶ Election Voting

▶ Election Vote

▶ Election Poll

▶ Election Day

Court Opinions

US Supreme Court
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State Laws

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Illinois
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New York
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Pennsylvania
Texas
Virginia
Washington

US Code

1 USC - General Provisions
2 USC - The Congress
3 USC - The President
4 USC - Flag and Seal
5 USC - Gov't Organization
6 USC - Domestic Security
7 USC - Agriculture
8 USC - Aliens and Nationality
9 USC - Arbitration
10 USC - Armed Forces
11 USC - Bankruptcy
12 USC - Banks and Banking
13 USC - Census
14 USC - Coast Guard
15 USC - Commerce and Trade
16 USC - Conservation
17 USC - Copyrights
18 USC - Crimes
19 USC - Customs Duties
20 USC - Education
21 USC - Food and Drugs
22 USC - Foreign Relations
23 USC - Highways
24 USC - Hospitals
25 USC - Indians
26 USC - Internal Revenue Code
27 USC - Intoxicating Liquors
28 USC - Judiciary
29 USC - Labor
30 USC - Mineral Lands
31 USC - Money and Finance
32 USC - National Guard
33 USC - Navigation
34 USC - Navy (repealed)
35 USC - Patents
36 USC - Patriotic Societies
37 USC - Uniformed Services
38 USC - Veterans' Benefits
39 USC - Postal Service
40 USC - Public Property
41 USC - Public Contracts
42 USC - Public Health
43 USC - Public Lands
44 USC - Public Printing
45 USC - Railroads
46 USC - Shipping
47 USC - Telecom
48 USC - Territories
49 USC - Transportation
50 USC - War

US Constitution

Preamble
Art. I - Legislative
Art. II - Executive
Art. III - Judicial
Art. IV - States' Relations
Art. V - Mode of Amendment
Art. VI - Prior Debts
Art. VII - Ratification

Business Contracts

Texas Election Code - Section 32.075. Law Enforcement Duties And Powers

[Legal Research Home](#) > [Texas Laws](#) > [Election Code](#) > Texas Election Code - Section 32.075. Law Enforcement Duties And Powers

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§ 32.075. LAW ENFORCEMENT DUTIES AND POWERS. (a) The presiding judge shall preserve order and prevent breaches of the peace and violations of this code in the polling place and in the area within which electioneering and loitering are prohibited from the time the judge arrives at the polling place on election day until the judge leaves the polling place after the polls close.

(b) In performing duties under Subsection (a), the presiding judge may appoint one or more persons to act as special peace officers for the polling place. A special peace officer may not enforce the prohibition against electioneering or loitering near the polling place unless the officer's appointment is approved by the presiding officer of the local canvassing authority.

(c) In performing duties under Subsection (a), a presiding judge has the power of a district judge to enforce order and preserve the peace, including the power to issue an arrest warrant. An appeal of an order or other action of the presiding judge under this section is made in the same manner as the appeal of an order or other action of a district court in the county in which the polling place is located.

(d) A person who is arrested at a polling place while voting or waiting to vote shall be permitted to vote, if entitled to do so, before being removed from the polling place.

Acts 1985, 69th Leg., ch. 211, § 1, eff. Jan. 1, 1986. Amended by Acts 1997, 75th Leg., ch. 864, § 29, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 1094, § 1, eff. June 20, 2003.

Section: [Previous](#) [32.0551](#) [32.0552](#) [32.056](#) [32.071](#) [32.072](#) [32.073](#) [32.074](#) [32.075](#) [32.091](#) [32.092](#) [32.093](#) [32.094](#) [32.111](#) [32.112](#) [32.113](#) [Next](#)

Speak with a Lawyer in Texas

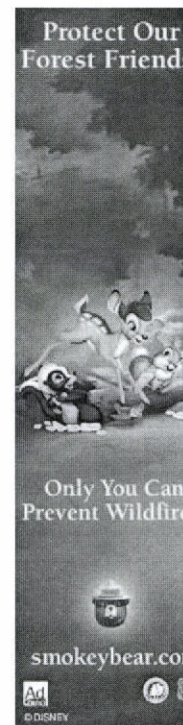
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Rick Perry

For Immediate Distribution
May 27, 2011
News Release

Governor's Press Office: 512-463-1826
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Catherine Frazier: cfrazier@gov.texas.gov
Lucy Nashed: lucy.nashed@gov.texas.gov

Gov. Perry: SB 14 Takes a Major Step in Securing the Integrity of the Electoral Process
Signs legislation requiring voters to present photo ID at polling places

AUSTIN – Gov. Rick Perry today ceremonially signed Senate Bill 14, which requires voters to present photo identification at a polling place. The governor was joined by Lt. Gov. David Dewhurst, House Speaker Joe Straus, Sen. Troy Fraser, Rep. Patricia Harless, and other state lawmakers for the signing ceremony.

"The right to vote is simply too important for us to take the act of voting lightly," Gov. Perry said. "Today with the signing of this bill, we take a major step forward in securing the integrity of the ballot box and protecting the most cherished right we enjoy as citizens."

SB 14 requires a voter to show as a valid form of photo ID, either a driver's license, Department of Public Safety issued photo personal identification card, U.S. military ID card, U.S. citizenship certificate that contains a photograph, U.S. passport or Texas concealed handgun license. The bill creates a free election identification certificate with a photograph issued by DPS for registered voters who need a photo ID. The bill also increases the penalty for voting illegally to a second degree felony, and increases attempted illegal voting to a state jail felony.

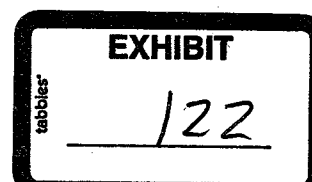
"Texas has taken a stand for free and fair elections by making Voter ID the law of the land," Lt. Gov. Dewhurst said. "We have a responsibility to protect and defend the Constitution, as well as the laws of our state and nation, and I'm proud to stand with Gov. Perry, members of the Texas Legislature and my fellow Texans to uphold the sanctity of our most fundamental democratic principle: one person, one vote."

"This session, we have taken major steps to ensure elections are fair, legal and without fraud, and Texans can know that we are working to make sure their vote is secure and counts," Speaker Straus said. "I thank Rep. Patricia Harless for her diligent work in passing Voter ID."

Voters who fail to show a photo ID at the polling place may cast a provisional ballot, which is only counted if they appear at the county voter registrar's office within six days after Election Day with the appropriate photo identification.

"Photo ID is simply putting into practice the intent of the current law – that the person who shows up at the polls is who he or she claims to be," Sen. Fraser said. "Voter impersonation is a serious crime, but without a photo ID requirement we can never have confidence in our system of voting."

"We must do all we can to guarantee our elections are conducted fairly and without fraud," Rep. Harless said. "This bill takes a significant step to ensure the integrity of the ballot box by providing a means to deter and detect in-person voter fraud."



Exemptions to the photo ID requirement are available to people who have a religious objection to being photographed, and disabled individuals who provide written documentation from the Social Security Administration or Department of Veterans Affairs confirming their disability and a statement that they do not have any form of photo identification. A disabled voter would then be issued a registration certificate to show in order to vote.

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From: Rodriguez, Tony
To: Cesinger, Katherine
Sent: 6/27/2013 3:50:49 PM
Subject: Re: MEDIA QUESTION ON EIC - PLEASE ADVISE
Attachments: image001.jpg

Change 1: the farthest anyone has to drive is 84 miles to the Alpine office for the people living in Sanderson - population 744 (Terrell County, population 984).

Tony Rodriguez
Senior Manager
Office: 512.424.5657
Cell: 512.739.9709

On Jun 27, 2013, at 15:38, "Cesinger, Katherine" <Katherine.Cesinger@dps.texas.gov> wrote:

Also...if you there is any other data or fact that we can use to squash the presumption that driver license offices are too far out of the way for many Texans, please send that too. Thx again..

From: Rodriguez, Tony
Sent: Thursday, June 27, 2013 2:44 PM
To: Cesinger, Katherine
Subject: RE: MEDIA QUESTION ON EIC - PLEASE ADVISE

I don't know that. Let me see what I can do

v/r

Tony Rodriguez

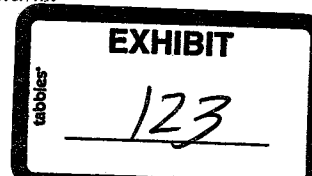
Customer Operations Senior Manager – South and West
Driver License Division
Texas Department of Public Safety
tony.rodriguez@dps.texas.gov
512.424.5657 (O)
512.739.9709 (C)
512.424.5233 (F)

The Driver License Division is committed to quality and excellence in customer service. Please share your thoughts with us via our online customer service survey at: <http://www.survey.utexas.edu/txdps/>

From: Cesinger, Katherine
Sent: Thursday, June 27, 2013 2:31 PM
To: Rodriguez, Tony
Subject: MEDIA QUESTION ON EIC - PLEASE ADVISE

Hey Tony,
Can you please send me the answer to this question?

Also, don't we have some statistic like "90 percent of the Texas population lives within 25 miles of a DL office..." or something like that? If so, please send me the exact language so I can send to him, and squash the presumption he is likely trying to make, which is that *DL offices are not accessible to many Texans.*



TEX0492758

Thx in advance.
Kat

From: Casey Michel [<mailto:casey.michel@houstonpress.com>]
Sent: Thursday, June 27, 2013 1:40 PM
To: Cesinger, Katherine
Subject: Re: News Release: Election Identification Certificates Available June 26

Wonderful - thanks, Katherine. And quick follow-up question: By my count on the website, there are DPS driver license offices in 184 of the 254 counties in Texas?

-Casey

On Thu, Jun 27, 2013 at 1:25 PM, Cesinger, Katherine <Katherine.Cesinger@dps.texas.gov> wrote:

<image001.jpg>

June 25, 2013

NEWS RELEASE

Election Identification Certificates Available June 26

Many Texans already have necessary photo ID for voting

AUSTIN – Pursuant to a U.S. Supreme Court ruling issued today, new voting requirements passed by the Texas Legislature in 2011 will take effect immediately. Photo identification will now be required when voting in elections in Texas.

On June 26, 2013, the Texas Department of Public Safety (DPS) will begin issuing Election Identification Certificates (EIC) to individuals who do not already have an acceptable form of photo identification (ID) to present when voting. Applications for the EIC will be accepted at DPS driver license offices across Texas.

If an applicant already has any of the following documents, they are *not* eligible to receive an EIC:

- Texas driver license – unexpired or expired less than 60 days
- Texas personal identification card – unexpired or expired less than 60 days
- U.S. passport book or card – unexpired or expired less than 60 days
- Texas concealed handgun license – unexpired or expired less than 60 days
- U.S. Military identification with photo – unexpired or expired less than 60 days
- U.S. Citizenship Certificate or Certificate of Naturalization with photo

To qualify for an EIC, applicants must be:

- A U.S. citizen;
- A Texas resident;
- Eligible to vote in Texas (show a valid voter registration card or submit a voter registration application when applying for the EIC); and
- 17 years and 10 months or older.

Beginning June 26, individuals may apply for an EIC by visiting a Texas driver license office and completing an EIC application (DL-14C). Applicants must also bring documentation to the office to verify U.S. citizenship and identity.

The EIC receipt an individual receives will include their photo and can be used for voting until the permanent card is

TEX0492759

delivered by mail.

The EIC is free of charge to qualifying applicants and is valid for six years. There is no expiration date of an EIC for citizens 70 years of age or older.

The EIC can only be used for the purpose of voting in an election and may not be used as personal identification.

Residents with a documented disability may apply at their county voter registrar for a permanent exemption from the photo ID requirement. If approved, they will not need a photo ID to vote. Also, if individuals are voting by mail, they do not have to submit a photo ID.

For more information on the requirements, exemptions and process for obtaining an EIC, please visit: <http://www.txdps.state.tx.us/DriverLicense/electionID.htm>.

For more information on voting in Texas, visit the Secretary of State's website: <http://www.sos.state.tx.us/>.

(HQ 2013-78)

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